

**REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith. The present amendment is being made to facilitate prosecution of the application.

**I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 1, 2, 4-13, 24-28 and 30-33 are pending. Claims 1, 2, 5-7, 11-13, 19, 24-25, 27-28, and 30 are hereby amended. Claims 31-33, which correspond to previous claims 17-19, are hereby added. Support for the amendment is provided throughout the Specification, specifically at pages 28, 29, 120, and figures 9, 42, 75, 135, 137. Claims 3, 14-23 and 29 have been canceled without any prejudice and disclaimer to the subject matter.

No new matter has been introduced. It is submitted that these claims, as originally presented, were in full compliance with the requirements of 35 U.S.C. §112. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

**II. REJECTIONS UNDER 35 U.S.C. §101, §102(b), AND §103(a)**

Claim 14 was rejected under 35 U.S.C. §101, as allegedly being directed to non-statutory matter.

Claims 1, 2, 4, 7, 11-14, 19, 24, 25, 27-28, and 30 were rejected under 35 U.S.C. §102(b), as allegedly being anticipated by U.S. Patent No.5, 537,528 to Takahashi et al. (hereinafter, merely "Takahashi").

Claim 5 was rejected under 35 U.S.C. §103(a), as allegedly being unpatentable over Takahashi in view of an Official Notice.

Claims 6, 8-9, and 17-18 were rejected under 35 U.S.C. §103(a), as allegedly being unpatentable over Takahashi in view of an Official Notice.

Claim 10 was rejected under 35 U.S.C. §103(a), as allegedly being unpatentable over Takahashi in view of U.S. Patent No. 5,5642,174 to Kazui et al. (hereinafter, merely "Kazui").

Claim 26 was rejected under 35 U.S.C. §103(a), as allegedly being unpatentable over Takahashi in view of an Official Notice.

### III. RESPONSE TO REJECTIONS

Claim 1 recites, *inter alia*:

"An information processing apparatus comprising:

**generating means for generating ClipMark formed by a mark specifying a characteristic picture extracted from an input AV stream, as management information for supervising the AV stream, and for generating PlayListMark, formed by marks pointing to a picture optionally specified by a user, from a reproduction domain corresponding to a PlayList defining the combination of preset domains in said AV stream;**

**...wherein the PlayList comprises a plurality of playback domains represented by a pair of an IN-point and an OUT-point on a time axis,**

**wherein the mark stored in the ClipMark of the Clip referenced by the PlayList is capable of being a reference when the PlayList is reproduced.**" (Emphasis added)

As understood by Applicants, Takahashi relates to a scene information editor that extracts still image data on the representative frames of scenes from a representative frame file,

and in chronological order along a time axis for display on the screen of a display. *Kazui* relates to a scene change detecting device of a relatively small circuit scale that is capable of accurately detecting a scene change using data which have already been compressed and coded.

First, the Office Action (page 3) relies on reference pointer 85 in figure 3 and figure 10 of Takahashi to disclose or suggest Applicants' claimed "PlayListMark formed by marks pointing to a picture optionally specified by a user, from a reproduction domain corresponding to a PlayList defining the combination of preset domains in said AV stream".

Takahashi indeed disclose that "the reference pointer 85 is for the representative frame of the still image file", (Takahashi, column 2, lines 60-65). Applicants submit that nothing in Takahashi teaches or suggests that the reference pointer 85 of Takahashi is "formed by marks pointing to a picture optionally specified by a user, from a reproduction domain corresponding to a PlayList defining the combination of preset domains in said AV stream". Applicants respectfully submit that Takahashi fails to disclose the above-identified features of claim 1.

Furthermore, Applicants submit that Takahashi fails to suggest or teach "wherein the PlayList comprises a plurality of playback domains represented by a pair of an IN-point and an OUT-point on a time axis" and "wherein the mark stored in the ClipMark of the Clip referenced by the PlayList is capable of being a reference when the PlayList is reproduced", as recited in claim 1 (emphasis added).

Therefore, Applicants submit that claim 1 is patentable.

For reasons similar to, or somewhat similar to, those described above with regard to independent claim 1, independent claims 12, 13, 25, 27, 28, and 30 are also patentable.

#### **IV. DEPENDENT CLAIMS**

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

Applicants submit that it is improper for the Office Action to take an Official Notice to reject Applicants' claimed features. Withdrawal of rejections is requested.

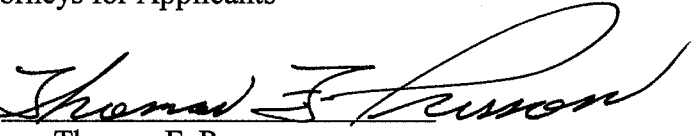
#### **CONCLUSION**

In the event the Examiner disagrees with any of the statements appearing above with respect to the disclosures in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,  
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